

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 1:16-CV-00425
	)	
STATE OF NORTH CAROLINA;	)	
PATRICK MCCRORY, in his official	)	
capacity as Governor of North Carolina;	)	
NORTH CAROLINA DEPARTMENT OF	)	
PUBLIC SAFETY; UNIVERSITY OF	)	
NORTH CAROLINA; and BOARD OF	)	
GOVERNORS OF THE UNIVERSITY OF	)	
NORTH CAROLINA,	)	
	)	
Defendants.	)	

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**PLAINTIFF’S MOTION FOR PRELIMINARY INJUNCTION**

Plaintiff United States respectfully moves the Court, pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and Local Rule 65.1(b), for a preliminary injunction against Defendants the State of North Carolina, Governor Patrick McCrory, the North Carolina Department of Public Safety, the University of North Carolina and the Board of Governors of the University of North Carolina. In support thereof, Plaintiff states as follows:

1. On May 9, 2016, Plaintiff filed its Complaint for Declaratory and Injunctive Relief (ECF No. 1), alleging that by complying with and implementing Part I of North Carolina Session Law 2016-3, House Bill 2, the Defendants are engaged in a pattern or practice of violating Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et seq., Title IX of the Education Amendments Act of 1972, 20

U.S.C. § 1681, et seq., and the Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 13925(b)(13).

2. Plaintiff seeks a preliminary injunction enjoining Defendants from complying with or implementing Section 1.3 of North Carolina Session Law 2016-3, House Bill 2.

3. The Federal Rules of Civil Procedure provide for the issuance of a preliminary injunction under the circumstances present here.

4. In support of this motion, Plaintiff submits a Memorandum of Law, together with supporting exhibits and declarations, addressing all necessary elements for the entry of a preliminary injunction.

5. Plaintiffs seek leave to present oral argument in support of this Motion pursuant to Local Civil Rule 65.1(b).

This the 5th day of July, 2016.

Respectfully submitted,

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*/s/ Torey B. Cummings*  
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*Counsel for Plaintiff*

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GOVERNORS OF THE UNIVERSITY OF	)	
NORTH CAROLINA,	)	
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Defendants.	)	

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 5, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and have verified that such filing was sent electronically using CM/ECF to the following: Karl S. Bowers, Jr., Robert C. Stephens, William Woodley Stewart, Jr., Brennan Tyler Brooks, Frank J. Gordon, Robert N. Driscoll, Amar Majmundar, Olga E. Vysotskaya De Brito, Carolyn C. Pratt, Glen D. Nager, James M. Burnham, Noel J. Francisco, Stuart K. Duncan, Gene C. Shaerr, Robert D. Potter, Jr., David A. Cortman, James A. Campbell, Jeremy D. Tedesco, Jonathan Caleb Dalton;

and mailed to the following non-CM/ECF participant:

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Respectfully submitted,

*/s/ Torey B. Cummings*  
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